

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAVID SHEMTOV,

Petitioner,

v.

BRYAN BIRKHOLZ,

Respondent.

Case No. 2:24-cv-10630-SRM-JC

ORDER ACCEPTING REPORT AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE, DKT.
[14], AND DENYING PETITIONER'S
MOTION FOR EXPEDITED RULING
AND TO SUPPLEMENT OBJECTIONS
TO THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION,
DKT. [17]

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus by a Person in Federal Custody (the "Petition") and all of the records herein, including the March 13, 2025 Report and Recommendation of United States Magistrate Judge ("Report and Recommendation"), (Dkt. 14), and Petitioner David Shemtov's Objections to the Magistrate Judge's Report and Recommendation ("Objections"), (Dkt. 16). The Court has made a *de novo* determination of those portions of the Report and Recommendation to which objections are made. The Court agrees with and accepts the findings, conclusions,

1 and recommendations of Magistrate Judge Jacqueline Chooljian and
2 **OVERRULES** the Objections.

3 **IT IS HEREBY ORDERED** that (1) the Petition is **DENIED**, and this
4 action is **DISMISSED WITH PREJUDICE**; (2) Petitioner's Motion for
5 Reconsideration is **DENIED AS MOOT**, (Dkt. 7); and (3) Judgment be entered
6 accordingly. The Clerk of Court is **DIRECTED** to serve copies of this Order and
7 the Judgment on Petitioner and Respondent's counsel.

8 In light of this Order, the Court **DENIES AS MOOT** Petitioner's Motion
9 for Expedited Ruling and to Supplement Objections to the Magistrate Judge's
10 Report and Recommendation. (Dkt. 17.)

11 **IT IS SO ORDERED.**

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13 DATED: May 22, 2025

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16 HONORABLE SERENA R. MURILLO
17 UNITED STATES DISTRICT JUDGE
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